

Comments	Response
<p style="text-align: center;"><b>CENTENNIAL RANCHES</b> 652 W. Cromwell, Suite 103 Fresno, CA 93711</p> <p style="text-align: right;">Respond to: <b>William J. Thomas</b> 500 Capitol Mall, Suite 1700 Sacramento CA 95814</p> <p style="text-align: center;">February 17, 2012</p> <p><b>VIA EMAIL</b></p> <p>Don Jardine, Board Chair Harold Singer, Executive Officer Bruce Warden, Environmental Scientist <i><b>Lahontan Regional Water Quality Control Board</b></i> 2501 Lake Tahoe Blvd So. Lake Tahoe, CA 96150</p> <p style="text-align: center;"><b>RE: REQUEST FOR DELAY OF DEADLINE FOR RESPONSES TO PROPOSED AMENDMENTS TO THE AGRICULTURE WAIVER</b></p> <p>Dear Board Chair Jardine, Harold Singer and Bruce Warden:</p> <p>On January 23, 2012, the Lahontan Regional Water Quality Control Board publicly circulated a new proposed agricultural waiver that dramatically expanded the regulatory components of the waiver. The notice for the proposed waiver stated that comments are due on February 22, 2012. Given the scope of changes in the proposed waiver and its extreme consequences to the economy of the region, the 30-day period for comments is inadequate, and Centennial Ranches requests that the comment period be extend to at least March 23, 2012. This is nineteen days prior to the hearing at which the proposed waiver is scheduled to be heard, and should provide staff with adequate time to analyze comments received on proposed waiver.</p> <p>Moreover, the increased regulatory components in the proposed waiver are based on an unreasonable, and unjustifiable basin plan fecal coliform objective, 20 fecal coliform colonies (FCU) per 100 mL. When the Board promulgated the agricultural waiver in 2006, the reasonableness of the 20 FCU/100 mL fecal coliform was the subject of significant doubt, and in recognition of these questions the Board acted to advance an interim objective of 200 FCU/100 mL. The fecal coliform objective under the new regulatory provisions in the proposed waiver are a drastic departure from and is ten times more restrictive than the interim standard, the US Environmental Protection Agency standard, and the standards of the other regions of the state. Requiring such a severe cutback in fecal coliform concentration will devastate the ranching industry in the Bridgeport Valley, the heart of Mono County. Centennial Ranches and other interested parties require significantly more time to determine the veracity of the basis for the newly proposed fecal coliform standard and to prepare an appropriate response. Therefore, Centennial Ranches hereby requests that the period for response to the proposed waiver be extended to March 23, 2012, to allow further analysis of the proposed amendments and the</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><b>BRO-R1:</b> Regional Water Board staff met with Bridgeport Ranchers Organization (BRO) members on March 12, 2012 to discuss this and other concerns. By mutual agreement, the Water Board hearing for the proposed adoption of the grazing waiver was delayed three months—from April 2012 to the July 2012 Water Board meeting. After revising the tentative waiver in response to BRO and other commenter concerns, a second tentative waiver was issued May 4, 2012 with comments due June 4, 2012. Another meeting of Water Board staff and BRO members was held May 31, 2012 to arrive at a mutually agreeable approach to address key issues of concern in the 2<sup>nd</sup> tentative waiver. Agreed-upon changes to the 2<sup>nd</sup> tentative waiver are reflected in the proposed grazing waiver.</p> </div> <div style="border: 1px solid black; padding: 5px;"> <p><b>BRO-R2:</b> The 1975 Water Quality Control Plan (Basin Plan) for the North Lahontan Basin applied the 20 fecal coliform per 100 mL water quality objective to ten water bodies, including the East Walker River which is in the Bridgeport Valley. The 20 fecal coliform per 100 mL water quality objective was extended to the rest of the Region in the 1995 Basin Plan update. Based on concerns about the applicability of the 20 fecal coliform per 100 mL water quality objective for areas with historic agricultural beneficial uses, such as the Bridgeport Valley, Water Board staff began conducting studies on both fecal coliform and E. coli covering a wide range of land use types in the region, including agriculture, to develop scientifically defensible standards that address these concerns. These efforts are given in more detail in Finding No. 5 of the proposed grazing waiver.</p> </div>

## Comments

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reasonableness of the existing basin plan objective and to formulate the appropriate response.

Thank you for your consideration of this request. I look forward to your timely response.

Very truly yours,



William J. Thomas  
CENTENNIAL RANCHES

attachment

cc: Governor Jerry Brown  
Cal/EPA Secretary, Matt Rodriguez  
Cal/EPA Deputy Secretary Gordon Burns  
SWRCB Board Chair Charlie Hoppin  
SWRCB Board Members Frances Spivy-Weber  
and Tam Doduc  
SWRCB Executive Officer Tom Howard  
CDFA Secretary Karen Ross  
Senator Ted Gains  
Senator Tom Berryhill  
Assemblymember Kristin Olsen  
Lahontan Regional Board Vice Chair Peter C. Pumphrey  
Lahontan Regional Board Members Jack Clarke, Keith Dyas,  
Amy Horne, Ph.D., Eric Sandel

## Response

## Comments

## Response

**CENTENNIAL RANCHES**

652 W. Cromwell, Suite 103  
Fresno, CA 93711

Respond to:  
William J. Thomas  
500 Capitol Mall, Suite 1700  
Sacramento CA 95814

February 17, 2012

**VIA EMAIL**

Don Jardine, Board Chair  
Bruce Warden, Environmental Scientist  
Harold Singer, Executive Officer  
**Lahontan Regional Water Quality Control Board**  
2501 Lake Tahoe Blvd  
So. Lake Tahoe, CA 96150

**RE: REQUEST FOR EXTENSION OF COMMENTS AND DELAY OF WAIVER**

Dear Board Chair Jardine, Harold Singer and Bruce Warden:

The undersigned Bridgeport Ranchers join in each of Centennial Ranches' 1) the request for comment extension, and 2) the request for extension of the existing waiver and scheduling of a workshop to discuss the reasonable applicability of the fecal coliform objective in the Lahontan basin plan.

Signed at Gardnerville, Nevada:

Joe Gansberg (Gansberg Ranch & Pres. BRO)  
Jeffrey B. Hummel (Hummel Land & Livestock Co.)  
Steve A. Fulstone (AN Fulstone Co.)  
Paul D. Borth (Borth Land & Sheep)  
Marguerite J. Leunassan (FIM CORP)  
Wm. J. [unclear] (Point Ranch)  
Wm. J. [unclear] (Pacey Livestock)  
Copy [unclear] (ULLMAN LIVESTOCK)

**BRO-R3:** Another 30-day public comment period was given for the second tentative draft grazing waiver issued on May 4, 2012 until June 4, 2012. Consequently, the Water board hearing was delayed three months to July 2012 and a grazing workshop was scheduled for the July 2012 Water Board meeting.

Comments

Response

cc:  
Board Vice Chair, Peter C. Pumphrey  
Board Members, Jack Clarke, Keith Dyas,  
Amy Horne, Ph.D., Eric Sandel

